STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
PO Box 42560 • Olympia, Washington 98504-2560 • http://agr.wa.gov • (360) 902-1800

August 17, 2007

Document Processing Desk (SLN)
Office of Pesticide Programs – 7504 P
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

RE: EPA SLN Reg. No. WA-060019

Enclosed is revised labeling for Washington Special Local Need (SLN) registration number WA-060019 issued to Liphatech for the use of Rozol Pellets (EPA Reg. No. 7173-151) in forest plantations to control mountain beavers. This registration was issued under authority of Section 24(c) FIFRA.

The SLN label was revised to include the additional statements requested by Kable Bo Davis (EPA), in a letter to WSDA (7/20/2007).

If you have any questions, please contact me at (360) 902-2078 or by e-mail at ***ejohansen@agr.wa.gov***.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

Erik W. Johansen
Special Pesticide Registration Program Coordinator

enclosure
cc: Jane Thomas, WSU
Tom Schmit, Liphatech
Wendy Arjo, USDA / APHIS / WS / NWRC
Doug Walsh, WSU
Rose Kachadoorian, ODA
Kable Bo Davis, EPA

RESTRICTED USE PESTICIDE

DUE TO TOXICITY TO NONTARGET ORGANISMS

For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

SUPPLEMENTAL LABEL

FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON

rozol® PELLETS

FOR CONTROL OF MOUNTAIN BEAVER IN FOREST PLANTATIONS

EPA SLN No. WA-060019 EPA Reg. No. 7173-151

DIRECTIONS FOR USE:

- It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.
- This labeling must be in the possession of the user at the time of application.
- Follow all applicable directions, restrictions and precautions on the EPA registered label.
- This product can be used for forestry sites, including conifer site preparation areas.
- Not for use on recreational sites, Christmas tree plantations or in ornamental plantings.

General Information: Mountain beavers (*Aplodontia rufa*) are active for short durations throughout the day, but are usually more active in the evening. Surface activity is usually fairly close to their burrows, although they can range over several acres if food is not plentiful. Mountain beaver burrows can be located by observing feeder holes or freshly pushed dirt. There may be several entrances to the mountain beaver burrow system. Mountain beavers exhibit caching and hoarding behavior and are likely to move the bait packet into their burrow. Abandoned burrows are frequently reinvaded by mountain beavers from surrounding areas, and cached bait may control invading animals.

Baiting should be used as one component of an Integrated Pest Management (IPM) approach to mountain beaver control, including trapping and population monitoring. Research has found that trapping in conjunction with baiting is the most effective method of control.

Use Rate / Bait Placement: Do not tear open the packets of bait. Place one unopened packet of bait inside two feeder holes or active runways of each active mountain beaver burrow system (i.e. one packet per hole or runway, two packets per burrow system). Insert bait packets at least 12 inches into hole or runway.

Application Timing: Applications made between October and February have been found to be most effective at reducing damage to tree seedlings planted in late winter or early spring. Baiting from mid-May to mid-September when juvenile mountain beavers are present is not permitted, due to concerns with secondary poisoning of non-target animals. Do not apply more than once per season.

RESTRICTIONS / PRECAUTIONS:

Do not apply this product in a way that will contact workers or other persons. Only protected handlers may be in the area during application.

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PESTICIDE MANAGEMENT DIVISION

Erik W. Johansen
Special Pesticide Registration Program Coordinator

enclosure

cc: Jane Thomas, WSU
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rozol® PELLETS

FOR CONTROL OF MOUNTAIN BEAVER IN FOREST PLANTATIONS
EPA SLN No. WA-060019 EPA Reg. No. 7173-151

DIRECTIONS FOR USE:

- It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.
- This labeling must be in the possession of the user at the time of application.
- Follow all applicable directions, restrictions and precautions on the EPA registered label.
- This product can be used for forestry sites, including conifer site preparation areas.
- Not for use on recreational sites, Christmas tree plantations or in ornamental plantings.

General Information: Mountain beavers (*Aplodontia rufa*) are active for short durations throughout the day, but are usually more active in the evening. Surface activity is usually fairly close to their burrows, although they can range over several acres if food is not plentiful. Mountain beaver burrows can be located by observing feeder holes or freshly pushed dirt. There may be several entrances to the mountain beaver burrow system. Mountain beavers exhibit caching and hoarding behavior and are likely to move the bait packet into their burrow. Abandoned burrows are frequently reinvaded by mountain beavers from surrounding areas, and cached bait may control invading animals.

Baiting should be used as one component of an Integrated Pest Management (IPM) approach to mountain beaver control, including trapping and population monitoring. Research has found that trapping in conjunction with baiting is the most effective method of control.

Use Rate / Bait Placement: Do not tear open the packets of bait. Place one unopened packet of bait inside two feeder holes or active runways of each active mountain beaver burrow system (i.e. one packet per hole or runway, two packets per burrow system). Insert bait packets at least 12 inches into hole or runway.

Application Timing: Applications made between October and February have been found to be most effective at reducing damage to tree seedlings planted in late winter or early spring. Baiting from mid-May to mid-September when juvenile mountain beavers are present is not permitted, due to concerns with secondary poisoning of non-target animals. Do not apply more than once per season.

RESTRICTIONS / PRECAUTIONS:

Do not apply this product in a way that will contact workers or other persons. Only protected handlers may be in the area during application.

For control of mountain beavers only. Use of Rozol for control of mountain beaver in forest plantations is limited to western Washington only. Do not apply this product to forest plantations located in eastern Washington.

Do not broadcast bait. Do not apply this product by any method not specified on this label. Pick up and properly dispose of any spilled bait that cannot be recovered for use. Keep away from humans, domestic animals and pets during application, handling and storage.

This pesticide is toxic to fish and wildlife. Rozol Pellets should not be used under this SLN label where impact on listed threatened or endangered species is likely. Do not apply this product from mid-May to mid-September when juvenile mountain beavers are present, due to concerns with secondary poisoning of non-target animals. Do not apply this product directly to water or within 10 feet of surface water (i.e. streams, rivers, lakes). You may refer to the WSDA Endangered Species Program web sit at http://agr.wa.gov/Pestfert/EnvResources/EndangSpecies.htm, or contact the Washington Department of Fish & Wildlife, National Marine Fisheries Service (NOAA Fisheries) or US Fish & Wildlife Service for information regarding aquatic species listed as threatened or endangered. Consult the Federal label for additional restrictions and precautions to protect aquatic organisms.

This label for Rozol Pellets expires and must not be distributed or used in accordance with this SLN registration after December 31, 2011.

24(c) registrant: Liphatech, Inc.
3600 W. Elm Street
Milwaukee, WI 53209

Rev. 8/17/2007

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

July 20, 2007

Erik W. Johansen
State of Washington Department of Agriculture
P.O. Box 42560
Olympia, Washington 98504-2560

JUL 20 2007

re: EPA SLN # WA-060019
Date Received By EPA: September 26, 2006
Receipt Acknowledged

Dear Mr. Johansen:

This will acknowledge receipt of the above notification of a registration pursuant to section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, as follows:

SLN #:	WA-060019
Parent Product:	Rozol Pellets
EPA Reg. #:	7173-151
24(c) Registrant:	Liphatech, Inc. 3600 W. Elm Street Milwaukee, WI 53209
Site:	forest plantations; western Washington
Pest:	mountain beaver
Expiration Date:	December 31, 2011

A review of this label indicates that it is unacceptable. Below is a list of necessary changes:

1. Within the **Application Timing** section of the label, include the statement "*Do not apply more than once per season.*"

2. Immediately before the **General Information** section of the label, include the statement "*This product can be used for forestry sites, including conifer site preparation areas. No for use in recreational sites, Christmas tree plantations or in ornamental plantings.*"

3. Within the **Restrictions/Precautions** section of the label, include the statement "*For control of mountain beavers only.*"

Upon completion of these changes, please submit the revised label to the Agency. If you have any questions regarding this letter, please contact me at (703) 306-0415.

Sincerely,

Kable Bo Davis
Entomologist
Insecticide-Rodenticide Branch
Registration Division (7505P)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

PC Code: 067707
DP#: D334197, D334198

December 19, 2006

SLN (§24c) Review

Subject: ROZOL Pellets for Control of Mountain Beaver in Forest Plantations
OR060026 and WA060019

To: John Hebert, RM 07
Insecticide-Rodenticide Branch
Registration Division

From: W. Erickson, Biologist
T. Bailey, Branch Chief
Environmental Risk Branch 2
Environmental Fate and Effects Division

EFED has reviewed the Special Local Needs registrations of the Oregon Department of Agriculture (ODA) and the Washington State Department of Agriculture (WSDA) for use of chlorophacinone bait to control mountain beaver in forestry. These registrations were issued under authority of FIFRA Section 24(c). Use of this product will be limited to forest areas west of the crest of the Cascade Mountain Range in Oregon and forests in western Washington. The ODA and the WSDA consider the mountain beaver to be an important pest due to their extensive damage to seedlings and young trees. No rodenticides are currently registered for mountain beaver control. Chlorophacinone is a first-generation anticoagulant rodenticide currently registered mainly for rat and mouse control in and around buildings but also for control of pocket gophers, moles, ground squirrels, voles, and several other localized pest mammals.

The USDA/APHIS National Wildlife Research Center (NWRC) tested the efficacy of chlorophacinone bait against the mountain beaver. They conclude that an IPM program

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including trapping in conjunction with baiting of chlorophacinone is the most efficacious means of control. They believe that nontarget risks will be minimal due to the following reasons:

- bait will be applied only inside burrows in unopened packets
- baiting is prohibited from March to September when young mountain beavers are present
- mountain beavers will cache bait not immediately eaten
- chlorophacinone residues in mountain beavers are expected to be low
- most mountain beavers will die underground

EFED agrees that these factors should help reduce, although not eliminate, risk to nontarget animals. However, EFED believes that an excessive amount of bait will be applied per burrow system, even if burrow systems are subsequently reinvaded by other mountain beavers. The application rate should be markedly decreased to prevent excess bait being available to non-target animals after the resident and any reinvading mountain beavers have died.

SLN Label Information

SLN Product:	Rozol Pellets For Control of Mountain Beaver in Forestry Plantations
Parent Product:	Rozol Pellets (EPA Reg. No. 7173-151)
Formulation:	Food bait (0.005% ai) – pellets contained in a 12-oz. packet
Classification:	Restricted Use
Target species:	Mountain beaver (*Aplodontia rufa*)
Use sites:	OR: Forestry sites west of the crest of the Cascade Mountain Range but excluding recreational sites, Christmas tree plantations, and ornamental plantings WA: forestry plantations in western Washington
Application timing:	OR: September to mid-May WA: mid-September to mid-May
Application rate:	No more than 2 12-oz. packets per burrow system; place packets in feeder hole and/or runway
Repeat applications:	Not specified on product label
Other use restrictions:	Bait packets must be inserted at least 12" into hole or runway. Do not open bait packets. Do not broadcast bait. Pick up and dispose of any spilled bait.

Threatened and Endangered species:	OR: Rozol pellets should not be used where impact on listed threatened or endangered species is likely. The label states that the Oregon Dept. Fish and Game, National Marine Fisheries Service (NOAA Fisheries), or US Fish and Wildlife Service may be contacted for information (no email or web addresses or phone numbers are provided) WA: Rozol pellets should not be used where impact on listed threatened or endangered species is likely. For aquatic species, user may refer to the WSDA Endangered Species Program web site at http://agr.wa.gov/Pestfert/EnvResources/EndangSpecies.htm, or contact the Washington Dept. Fish & Wildlife, National Marine Fisheries Service (NOAA Fisheries), or US Fish and Wildlife Service for information.
Environmental hazards statements:	OR: "This pesticide is toxic to mammals, birds, fish and aquatic invertebrates. Predatory and scavenging mammals and birds might be poisoned if they feed upon animals that have been poisoned by the product. Collect and properly dispose of dead animals. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of wastes." WA: no statements on the SLN label

Additional Information

The ODA provided some additional information in the submission. This information include a list of threatened and endangered species, the rationale for issuing this SLN, published background information on the mountain beaver's habits, a 2-page fact sheet entitled "Background information on the Mountain Beaver and Rozol Baiting", a report on the economic importance of reducing seedling damage, and a Vertebrate Pest Conference Proceedings paper by Arjo et al. (2004) entitled "Assessing the Efficacy of chlorophacinone for Mountain Beaver (*Aplodontia rufa*) Control."

The WSDA provided a list of Washington State endangered Species and a cover letter with justification for issuing the SLN. The letter states that a WSDA Environmental Toxicologist reviewed the label and determined that nontarget exposure is mitigated by the label restrictions.

The ODA also promptly responded to EFED's inquiries as to the size of the bait packets and whether retreatment of burrow systems is expected. Confusion existed, because the parent product is applied as loose pellets, not a place pack, and the SLN label does not provide any information on retreatment nor does it limit the number of applications. The ODA contacted the

NWRC field station for this information. According to the product label for the parent to the SLN, the pellets are marketed in a 12-oz. package. W. Arjo (NWRC) responded to the ODA stating that the entire 12-oz. bait package is applied unopened into the burrow system, and they anticipate only one baiting per burrow system.

The ODA also emailed EFED the following information regarding possible exposure of the northern spotted owl, a Federally-listed species. The information was provided to ODA by the USFWS (T. Buerger, 12/08/06):

> "The rodenticide cannot be applied from "mid-May" through September 1, which will reduce the risk to owls if they prey on mountain beavers during the summer months. The pesticide label reiterates what you have stated about juveniles in summer--apparently they are active outside of burrows at this time. Rodenticide applications made between October and February are apparently "most effective at reducing damage to tree seedlings planted in late winter or early spring" and the applications are made to target adult mountain beavers."

ODA also provided an electronic copy of the NWRC's revised final report entitled "*Field Efficacy of Chlorophacinone for Mountain Beaver Control*" by W.M. Arjo, October 26, 2006. This report also contains some information on body residues and predators of the mountain beaver.

The Mountain Beaver

The following information was obtained from the following two sources:
http://dirttime.ws/Notebook/Aplodontia.htm:
http://www.enature.com

The mountain beaver (0.5-1.4 kg) occurs mainly to the west of the Cascades from northern California to southern British Columbia. It is primarily nocturnal and is seldom seen. It feeds solely on vegetation, including the bark of coniferous and hardwood trees. The species is mainly fossorial, with a home range averaging about 1/3 acre (1/8 ha). Its burrow system is usually shallow, often near cover, and is distinguished by its large size (5-6 inches in diameter). A burrow system may have as many as 10 to 30 entrances. Although relatively solitary, the mountain beaver sometimes becomes so abundant that its burrows honeycomb the ground. Its burrows often are used by many other animals. Bobcats, weasels, and mink are major predators.

A "General Information" section on the SLN labels also provides the following information:

> "Mountain beavers (*Aplodontia rufa*) are active for short durations throughout the day, but are usually more active in the evening. Surface activity is usually fairly close to their burrows, although they can range over several acres if food is not plentiful. Mountain beaver burrows can be located by observing feeder holes or freshly pushed dirt. There may be

several entrances to the mountain burrow system. Mountain beavers exhibit caching and hoarding behavior and are likely to move the bait packet into their burrow. Abandoned burrows are frequently reinvaded by mountain beavers from surrounding areas, and cached bait may control invading animals."

Environmental Fate of Chlorophacinone

Estimates of pesticide concentration in surface water is typically modeled with either the EFED *tier 1* model (GENEEC) or *tier 2* model (PRZM-EXAMS), but those models are not applicable to this type of underground application for mountain beaver control. However, contamination of surface waters is likely to be minimal from this use. Chlorophacinone is fairly insoluble, has very low leaching potential, and is not very persistent (data tabulated below). Because it will be applied into burrows inside a packet, very little will be available at the surface, and so should not be subject to much runoff or erosion into surface water bodies. Even if significant amounts were to be found at the surface, it is most likely to be exported off-site via erosion rather than as dissolved in runoff water because of its low solubility and propensity to adsorb onto solids. Thus, any material that is exported as erosion should remain sorbed onto particles and settle to the bottom of the receiving lake or stream bed. In addition, the very low K_{oc} and low solubility mean that it is unlikely to contaminate ground water.

Physical/Chemical Properties of Chlorophacinone

Property	Value	Source	Comment
Solubility	34 ppm	1998 RED	
Hydrolysis	Stable	MRID 42205501	at pH 5, 7, and 9
Photolysis in Water	37 min. (half-life)	1998 RED	no reference given in text
Photodegradation on Soil	4 days (half-life)	MRID 42452301	
Aerobic Soil Degradation	26-45 days (half-life)	MRID 43159801	45 day value was used
K_{ads}	341	MRID 42666001	averaged for 4 soils
K_{oc}	43,411	MRID 42666001	averaged for 4 soils
Vapor Pressure	3.6E-6 mm Hg	1998 RED	
Henry's Law	5.2E-8 m-m^3/mol	1998 RED	
K_{ow}	94	1998 RED	

Toxicity of Chlorophacinone

Birds and Mammals: The available primary-hazards data are tabulated in Attachment A. Chlorophacinone exhibits high to very high acute and dietary toxicity to small mammals (LD50's = 0.49 to 50-100 mg/kg; LC50's = 1.14 to 1.26 ppm) and moderate to high toxicity to birds (LD50's >100 to 430 mg/kg bw; LC50's = 56 to 172 ppm). Toxicity increases if chlorophacinone is ingested for several days rather than in a single dose. For example, the

single-dose lab. rat LD50 is 6.2 mg ai/kg bw, whereas toxicity was enhanced (LD50 = 0.8 to 0.95 mg ai/kg bw) when wild and lab. rats were dosed at 0.16 to 0.19 mg ai/kg bw daily for 5 consecutive days.

Tests in which poisoned prey were offered to captive avian and mammalian predators and scavengers indicate that mustelids and wild canids may be killed if feeding on poisoned prey for several days (Attachment B). Although no captive avian predators died, a few raptors, owls, and corvids displayed signs of intoxication (e.g., increased blood-coagulation time, external bleeding, and/or internal hematoma when sacrificed and necropsied) from sublethal exposure.

Aquatic animals: Chlorophacinone is highly toxic to fish (rainbow trout LC50 = 450 ppb) and aquatic invertebrates (waterflea EC50 = 640 ppb).

Terrestrial invertebrates: No data available.

Risk Characterization

Primary risks

Risk exists for small mammals that enter burrow systems and be may be attracted to grain-based bait pellets. Species likely to frequent mountain beaver burrow systems include rabbits, voles, wood rats, weasels, and skunks (Arjo et al. 2004, Arjo 2006) and possibly other small rodents. Non-target animals might open bait packets and consume pellets, or they may find pellets from packets opened by mountain beavers. Arjo et al. (2004) conducted efficacy tests using pre-packaged bait. They presented five mountain beavers with one 12-oz. package of bait. Three beavers cached bait packets. Four beavers opened packets on the first day and the fifth by Day 10. All five beavers died within 20 days, and "*The amount of bait consumed varied between the subjects but averaged 4.09 ± 1.22 mg bait.*" If this is correct, applying two 12-oz. packets of bait (680,000 mg) per burrow system results in approximately 170,000 lethal doses per system. This seems an excessive amount of bait, most of which will be available to non-target mammals. EFED's calculations, based on the 5-day LD50 for the laboratory rat, extrapolate to more than 200 lethal doses per 1000-g animal, or more than 100 lethal doses per animal if two 1-kg mountain beavers inhabit a burrow system. EFED recognizes that an individual may consume multiple lethal doses before dying, but even this scenario seems to results in an excessive application rate that may leave uneaten bait available for non-target animals.

Primary risk to birds should be low. The pellet packets will be inserted at least 12 inches into burrows or runways and many are cached in the nest or in food caches, although Arjo (2006) indicates that some bait packs also are pushed out of the burrow system. However, even if an occasional bird might have access to pellets from packets opened by other animals, it is unlikely that most birds could find and eat enough 50 ppm bait in a single feeding to ingest an LD50 dose (see Attachment C).

Secondary risks

At least some secondary exposure of predators and scavengers seems likely, especially for mammals. Weasels, skunks, and mink are likely scavengers within mountain beaver systems, and coyotes, bobcats, and raptors may prey or scavenge individuals dead or dying above ground (Arjo et al. 2004). During field efficacy testing, Arjo (2006) reported a number of instances of predation on mountain beavers.

Tests with captive mustelids (domestic ferrets, mongooses, weasels) and wild canids (coyotes, red foxes) indicate that poisoned prey pose a risk to mammalian predators and scavengers, although much less so to avian predators and scavengers (Erickson and Urban 2004). Risk to avian predators also is mitigated to some extent by prohibiting bait applications from mid-May to September when young mountain beavers are present. Species such as the northern spotted owl, a listed species, are known to prey on young mountain beaver but not on the larger adults (T. Buerger, USFWS email to ODA).

During the NWRC's efficacy study (Arjo 2006), a number of mammalian and avian species were recorded on the study plots in western Oregon. These included the following:

Common name	Scientific name
Bobcat	*Lynx rufus*
Coyote	*Canis latrans*
Black Bear	*Ursus americanus*
Elk	*Cervus elaphus*
Black-tailed deer	*Odicoileus hemionus*
Spotted Skunk	*Spilogale gracilis*
Busy-tailed woodrat	*Neotoma cinerea*
Rabbit	*Sylvilagus sp.*
Mice	*Peromyscus sp.*
Red-tailed hawk	*Buteo jamaicensis*
Raven	*Corvus corax*
Scrub Jay	*Aphelocoma coerulescens*
American goldfinch	*Carduelis psaltria*
Winter wren	*Troglodytes troglodytes*
Song sparrow	*Melospiza melodia*

Arjo (2006) also reported the following concerning predation on mountain beavers:

> "Predation pressure varied dramatically between the units and between control and baited units. No predation events occurred on the baited units except prior to baiting and again after the initial completion of the study. Previous studies have documented varying predation pressure depending on the repertoire of predator species. One study site in western Washington, mustelid predation accounted for 63% of the total predation

mortality (Arjo, unpubl. data). On two other study sites in western Washington mustelid predation only accounted for 14% and 9%, but carnivore predation (coyote or bobcat) accounted for 43% and 63% respectively. At Bent-Out-of-Shape, the unit with the greatest predation pressure, all of the major mountain beaver predators were present and contributed to observed mortalities (coyote, bobcat, skunk, and raptor species). Predation pressure from terrestrial and aerial predators was likely reduced on the baited units since mountain beaver likely remained below ground for extended periods as the toxicant began to take effect. This is further evidenced by the fact that the majority of baited animals were recovered underground."

"Predators removed several mountain beaver on this unit [Bent-Out-of-Shape] during the middle of the study. One animal was killed by a bobcat, one by a coyote, 2 by skunks, and one by a raptor. In addition one male (B0504) was recovered in a burrow system ~ 75m west of his nest and another male was recovered within his nest. Necropsy results showed that B0504 had massive hemorrhaging along the right side and shoulder area in addition to puncture wounds that penetrated internal organs. Canine tooth marks indicted predation possibly by a skunk. The second male, B1004, also had a lot of internal hemorrhaging on the left should and side and a dislocated left shoulder. Death was also attributed to a predation attempt."

However, Arjo et al. (2004) suggest that chlorophacinone residues in mountain beavers are low enough that risk to predators and scavengers is minimal. Residues were detected in all 16 mountain beavers baited in outdoor pens. The highest whole-body concentration was 0.354 ppm, with an average of 0.094 ppm. In the field study (Arjo 2006), 13 mountain beavers were analyzed: "Whole body concentrations averaged 0.176 μ/g (± 0.02 SE) with a range of 0 to 0.31μ/g (Table 4). Liver concentration were higher (0.589 μ/g ± 0.056 SE), and ranged from 0.115-0.857 μ/g. One animal had whole body concentration below the minimal threshold detection level." EFED notes that some predators and scavengers might eat the liver in addition to the other body parts, so concentrations may be higher than indicated by analyzing the liver separately from the remainder of the body. EFED also believes that these concentrations may be sufficiently high to pose a risk to some predators and scavengers, either from mortality or to possible sublethal affects (e. g., reproductive, behavioral), especially to those feeding on poisoned mountain beavers for more than a single feeding.

Risks to aquatic species

Although chlorophacinone is highly toxic to fish and aquatic invertebrates, minimal exposure is expected (see **Environmental Fate Summary** section for rationale for low exposure). In addition, the SLN label prohibits bait application within 10 feet of any surface water.

Listed species

Because the WA and OR counties where mountain beavers may be baited are not identified by either the ODA or the WSDA, EFED did not run LOCATES to identify listed species occurring in counties where these SLNs may be used. However, both the ODA and the WSDA provide a list of federal- and state-listed species and provide label provisions that they believe are protective. The ODA and the WSDA consider risk to listed species to be mitigated due to the following:

- Bait cannot be applied from mid-May to September 1 when juvenile mountain beavers are present. Juvenile mountain beavers are more apt to be taken by owls (e. g., Northern spotted owl, *Strix occidentalis caurina*) than are adults, because the juveniles are smaller, more naïve, and tend to be more active outside the burrow systems.

- Bait should not be applied where impact on listed species is likely. For Oregon, contact the Oregon Department of Fish & Wildlife, National Marine Fisheries Service (NOAA Fisheries) or US Fish and Wildlife Service for information regarding species listed as threatened or endangered. For Washington, refer to the WSDA Endangered Species Program web site at http://agr.wa.gov/Pestfert/EnvResources/EndnagSpecies.htm, or contact the Washington Department of Fish & Wildlife, National Marine Fisheries Service (NOAA Fisheries) or US Fish and Wildlife Service for information regarding aquatic species listed as threatened or endangered.

- The SLN labels prohibits use within 10 feet of surface water (i.e., streams, rivers, lakes)

The WSDA's submission also states that their Environmental Toxicologist, Dr. J. Cowles, reviewed the SLN label and determined that non-target exposure was mitigated by the label restrictions.

Arjo et al. (2004) discuss potential risks to federal- and state-listed in Washington and Oregon. The federal-listed species are the lynx (*Lynx canadensis*), the bald eagle (*Haliaeetus leucocephaius*), and the Northern spotted owl. The fisher (*Martes pennanti*), wolverine (*Gulo gulo*), and ferruginous hawk (*Buteo regalis*) are state species of concern. Arjo et al. (2004) dismiss possible risks to the federal-listed species, because baited mountain beavers are likely to die underground. However, not all mountain beavers will die underground. Moreover, ingesting a lethal dose will not die for a few days and may be outside of the burrow system while foraging, and they may be subject to predation.

Conclusions

Use of Rozol bait pellets to control mountain beavers has at least some potential primary and secondary risk to non-target mammals, including listed species. That risk is mitigated to some extent by the fact that bait is applied in unopened packets inserted into burrows or runways.

However, the SLN allows baiting of an excessive amount of bait per burrow system (24 oz. or ~680 g), some of which likely will be available to non-target species if not rapidly consumed by invading mountain beavers or if bait packets are pushed outside the burrow system. As noted, mountain beaver burrow systems often are also used by other animals, some of which may be attracted to the bait. Some predators and scavengers may also dig out dead or dying mountain beavers and be exposed to chlorophacinone secondarily. The NWRC contends that most exposed mountain beavers will die in their burrows. However, because death is delayed up to three weeks following bait consumption, some exposed beavers may be captured when moving outside the burrow system prior to death. The available evidence suggests that mammalian predators and scavengers will be at greater risk than avian species.

References cited

Arjo, W. 2006. Efficacy of Chlorophacinone for Mountain Beaver Control. Unpublished Report - QA-1135. National Wildlife Research Center, Fort Collins, Colorado, 93p.

Arjo, W.M., D.L. Nolte, T.M. Primus, and D.J. Kohler. 2004. Assessing the efficacy of chlorophacinone for mountain beaver (*Aplodontia rufa*) control. Proc. Vertebr. Pest Conf. 21:158-162.

EPA. 1993. Wildlife Exposure Factors Handbook (vol. I and II). EPA/600/R-93/187b. http://www.epa.gov/ncea/pdfs/introduc.pdf

Erickson, W. and D. Urban. 2004. Potential Risks of Nine Rodenticides to Birds and Nontarget Mammals: a Comparative Approach. EPA Office of Pesticides Program, Washington, D.C. 230 pp.

Nagy, K.A. 1987. Field metabolic rate and food requirement scaling in mammals and birds. Ecol. Monogr. 57:111-128.

Attachment A: Acute-oral and Dietary Toxicity of Chlorophacinone to Mammals and Birds (from Erickson and Urban 2004)

Species	LD_{50}, mg/kg (95% CI)	LC_{50}, ppm (95% CI)
Mammals:		
Laboratory rat (*Rattus norvegicus*)	6.2 3.1 ♂ (1.5-6.7) 11.0 ♀ (6.5-18.5) 0.95 (5-day dose @ 0.19/day)	1.14 (1.02-1.36) 1.14 (0.98-1.35) 1.26 (1.11-1.47) 1.26 (0.97-1.64)
Norway rat (wild) (*R. norvegicus*)	0.80 (5-day dose @ 0.16/day)	
Roof rat (*Rattus rattus*)	15.0	
House mouse (*Mus musculus*)	1.0 6	
Laboratory mouse (*M. musculus*)	1.90 ♂ 17.40 ♀	
Deer mouse (*Peromyscus maniculatus*)	0.49 1.0-3.75	
Pine vole (*Microtus pinetorum*)	14.2 (11.4-17.6)	
Dog (domestic)	50-100	
Birds:		
Mallard (*Anas platyrhynchos*)		172 (75-498)
Northern bobwhite (*Colinus virginianus*)	258 (167-356)	56 (22-105)
Ring-necked pheasant (*Phasianus colchicus*)	>100	
Red-winged blackbird (*Agelaius phoenicius*)	430	

Attachment B: Secondary Hazards of Chlorophacinone to Mammals and Birds in Laboratory Studies (from Erickson and Urban 2004)

Mammals:

Predator/ scavenger (p/s)	Prey offered to p/s	No. prey offered daily per p/s	No. days p/s exposed	No. p/s exposed	No. p/s dead	No. survivors with signs of toxicity[a]
Mongoose *(Herpestes auropunctatus)*	rats fed 0.005% bait for 5 days	1	1 3 5 6 7 9 10	1 1 2 1 1 1 1	0 1 2 1 1 1 1	nr no survivors no survivors no survivors no survivors no survivors no survivors
Coyote (*Canis latrans*)	ground squirrels fed 15 g of 0.01% bait for 6 days[b]	1	5	7	3	0
Red fox (*Vulpes vulpes*)	mice fed 0.0075% bait[c]	20 total	4	1	1[d]	no survivors
European ferret *(Mustela putorius furo)*	rats fed 0.005% bait for 5 days	ad lib.	5	20	11	nr
	prairie dogs fed 25 g of 0.0025% bait daily for 6 days[c]	4 (1 every other day)	8	6	5	nr
	voles/mice fed 0.0075% bait[c]	5 total	4	2	1[e]	(ct)
	muskrats fed 0.005% bait	ad lib.	4 8	2 1	0 1	1 (bl) no survivors
	voles fed 0.0075% bait[c]	ad lib.	3	4	0	(ct)
Weasel (*Mustela* sp.)	mice fed 0.005% bait	ad lib.	90	4	3	0

[a] eb = external bleeding; ih = internal hematoma; bl = bleeding (unspecified); ct = increased blood coagulation time; nr = not reported

[b] ground squirrels were fed no-choice for 3 days followed by 3 days in which they had a choice of bait or untreated laboratory chow

[c] baits registered in the U.S. are either 0.005% or 0.01% ai

[d] individual was sacrificed but considered 'dead' based on coagulation index

[e] individual recovered from moribund state after administration of antidote, but assumed 'dead' without antidote treatment

Birds:

Predator/scavenger (p/s)	Prey offered to p/s	No. prey offered daily per p/s	No. days p/s exposed	No. p/s exposed	No. p/s dead	No. survivors with signs of toxicity[a]
Barn owl (*Tyto alba*)	rats fed choice of 0.005% bait or untreated bait for 5 days	1-2	10	2	0	0
Black-billed magpie (*Pica pica*)	rats fed 0.005% bait for 5 days	ad lib.	5	20	0	0
American kestrel (*Falco sparverius*)	voles fed 0.01% bait until dead	1 1 every 3 days	21 61	10 10	0 0	10 (eb/ih) 10 (eb/ih)
Red-tailed hawk (*Buteo jamaicensis*)	voles fed 10 g 0.005% bait daily for up to 9 days	2	6	5	0	0
Great horned owl (*Bubo virginianus*)	voles fed 10 g 0.005% bait daily for up to 9 days	2	6	1	0	0
Red-tailed hawk	voles fed 0.005% bait for up to 9 days	2	6	5	0	0
Great horned owl	voles fed 0.005% bait for up to 9 days	2	6	1	0	0
Tawny owl (*Strix aluco*)	mice fed 0.0075% bait[b]	ad lib.	10	4	0	(ct)
Eurasian buzzard (*Buteo buteo*)	mice fed 0.0075% bait[b]	ad lib.	7 10 5+5+5[d] 40	4 6 3 3	0 0 0 0	(ct) (ct) (ct) (ct)
Eurasian buzzard	mice fed 0.0075% bait[b]	4	7	4	0	0
Carrion crow (*Corvus corone*)	mice fed 0.0075% bait[b]	ad lib.	10	4	0	(ct)
	mice fed 0.0075% bait[b]	3-4	3 5	12 12	0 0	0 0

White stork	mice fed 0.0075% bait[b]	ad lib. (treat/ untreated[c])	3	3	0	1 or 2 (ct)
			14	3	0	1 or 2 (ct)

[a] eb = external bleeding; ih = internal hematoma; bl = bleeding (unspecified); ct = increased blood coagulation time; nr = not reported

[b] baits registered in the U.S. are either 0.005% or 0.01% ai

[c] the 3 5-day treatment periods are separated by 3 days when the birds were fed untreated mice

Attachment C: Dietary RQs and Amount of Bait Providing an LD50 Dose for Birds and Mammals

The amount of bait that birds and mammals of various sizes need to eat in a single feeding to obtain a dose expected to be lethal to 50% of the individuals in the population (i.e., LD50 dose) were estimated from the acute oral toxicity for the northern bobwhite and the laboratory rat (see below). The Agency presumes acute risk when the dietary risk quotient (RQ) equals or exceeds 0.5 for non-endangered species and 0.1 for endangered species.

Taxa/ size (g)	Dietary RQ	daily food intake (g)[a]	g bait providing single-day LD50 dose[b]	g bait providing 5-day LD50 dose[c]
Birds:				
25	0.9	6.1	129	no data
100		9.6	516	no data
1000		53.9	5160	no data
Mammals:				
25	43.8	3.8	3.1	0.4 (0.08 g/day)
100		8.3	12.4	1.6 (0.32 g/day)
1000		68.7	124	16 (3.2 g/day)

[a] estimates of daily food-ingestion rates (g dry matter per day) were determined from allometric equations in Nagy (1987; see EPA 1993 and Erickson and Urban 2004)

[b] based on single-dose rat LD50 = 6.2 mg ai/kg bw

[c] based on 5-day-dose rat LD50 = 0.8 mg ai/kg bw (0.16 mg ai/kg bw/day

Decision #: 372130

DATA PACKAGE BEAN SHEET

DP #: (334198)

Date: 16-Nov-2006

* * * Registration Information * * *

Registration: OR060026 - ROZOL PELLETS

Company: 7173 - LIPHATECH, INC.

Risk Manager: RM 07 - John Hebert - (703) 308-6249 Room# PY1 S-7227

Risk Manager Reviewer: Geri Mccann GMCCAN02

Sent Date: 31-Oct-2006 Calculated Due Date: 29-Jan-2007 Edited Due Date:

Type of Registration: Special Local Need - Section 24c

Action Desc: (585) NON-FOOD/FEED USE;

Ingredients: 067707, Chlorophacinone(.005%)

* * * Data Package Information * * *

Expedite: ○ Yes ● No Date Sent: 16-Nov-2006 Due Back:

DP Ingredient: 067707, Chlorophacinone

DP Title: Ecological effects determination

CSF Included: ○ Yes ● No Label Included: ○ Yes ● No Parent DP #:

	Assigned To	Date In	Date Out	
Organization:	EFED /HQ ERB2	11/17/06		Last Possible Science Due Date: 30-Dec-2006
Team Name:				Science Due Date:
Reviewer Name:	Dana Spatz	11/17/06		Sub Data Package Due Date:
Contractor Name:				

* * * Studies Sent for Review * * *

No Studies

* * * Additional Data Package for this Decision * * *

No Additional Data Packages

* * * Data Package Instructions * * *

Bill Erickson,
Please review the attached documentation for "ecological effects determination".
Rose Kachedorian states this product is not for use on Prairie Dogs.
If you need further infomation, please call me:
Geri McCann
703-605-0716

Decision #: 372129

DATA PACKAGE BEAN SHEET

DP #: (334197)

Date: 16-Nov-2006

* * * Registration Information * * *

Registration: WA060019 - ROZOL PELLETS

Company: 7173 - LIPHATECH, INC.

Risk Manager: RM 07 - John Hebert - (703) 308-6249 Room# PY1 S-7227

Risk Manager Reviewer: Geri Mccann GMCCAN02

Sent Date: 26-Sep-2006 Calculated Due Date: 25-Dec-2006 Edited Due Date:

Type of Registration: Special Local Need - Section 24c

Action Desc: (585) NON-FOOD/FEED USE;

Ingredients: 067707, Chlorophacinone(.005%)

* * * Data Package Information * * *

Expedite: ◯ Yes ● No Date Sent: 16-Nov-2006 Due Back:

DP Ingredient: 067707, Chlorophacinone

DP Title: Ecological Effects Determination

CSF Included: ◯ Yes ● No Label Included: ◯ Yes ● No Parent DP #:

	Assigned To	Date In	Date Out	
Organization:	EFED / HOERB2	11/17/06		Last Possible Science Due Date: 25-Nov-2006
Team Name:				Science Due Date:
Reviewer Name:	Dana Spatz	11/17/06		Sub Data Package Due Date:
Contractor Name:				

* * * Studies Sent for Review * * *

No Studies

* * * Additional Data Package for this Decision * * *

No Additional Data Packages

* * * Data Package Instructions * * *

Bill Erickson,
Please review the attached documentation for "ecological effects determination".
Rose Kachedorian states this product is not for use on Prairie Dogs.
If you need further infomation, please call me:
Geri McCann
703-605-0716

RESTRICTED USE PESTICIDE

DUE TO TOXICITY TO NONTARGET ORGANISMS

For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

SUPPLEMENTAL LABEL

FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON

rozol® PELLETS

FOR CONTROL OF MOUNTAIN BEAVER IN FOREST PLANTATIONS

EPA SLN No. WA-060019 EPA Reg. No. 7173-151

DIRECTIONS FOR USE:

- It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.
- This labeling must be in the possession of the user at the time of application.
- Follow all applicable directions, restrictions and precautions on the EPA registered label.

General Information: Mountain beavers (*Aplodontia rufa*) are active for short durations throughout the day, but are usually more active in the evening. Surface activity is usually fairly close to their burrows, although they can range over several acres if food is not plentiful. Mountain beaver burrows can be located by observing feeder holes or freshly pushed dirt. There may be several entrances to the mountain beaver burrow system. Mountain beavers exhibit caching and hoarding behavior and are likely to move the bait packet into their burrow. Abandoned burrows are frequently reinvaded by mountain beavers from surrounding areas, and cached bait may control invading animals.

Baiting should be used as one component of an Integrated Pest Management (IPM) approach to mountain beaver control, including trapping and population monitoring. Research has found that trapping in conjunction with baiting is the most effective method of control.

Use Rate / Bait Placement: Do not tear open the packets of bait. Place one unopened packet of bait inside two feeder holes or active runways of each active mountain beaver burrow system (i.e. one packet per hole or runway, two packets per burrow system). Insert bait packets at least 12 inches into hole or runway.

Application Timing: Applications made between October and February have been found to be most effective at reducing damage to tree seedlings planted in late winter or early spring. Baiting from mid-May to mid-September when juvenile mountain beavers are present is not permitted, due to concerns with secondary poisoning of non-target animals.

RESTRICTIONS / PRECAUTIONS:

Do not apply this product in a way that will contact workers or other persons. Only protected handlers may be in the area during application.

Use of Rozol for control of mountain beaver in forest plantations is limited to western Washington only. Do not apply this product to forest plantations located in eastern Washington.

Do not broadcast bait. Do not apply this product by any method not specified on this label. Pick up and properly dispose of any spilled bait that cannot be recovered for use. Keep away from humans, domestic animals and pets during application, handling and storage.

This pesticide is toxic to fish and wildlife. Rozol Pellets should not be used under this SLN label where impact on listed threatened or endangered species is likely. Do not apply this product from mid-May to mid-September when juvenile mountain beavers are present, due to concerns with secondary poisoning of non-target animals. Do not apply this product directly to water or within 10 feet of surface water (i.e. streams, rivers, lakes). You may refer to the WSDA Endangered Species Program web site at http://agr.wa.gov/Pestfert/EnvResources/EndangSpecies.htm, or contact the Washington Department of Fish & Wildlife, National Marine Fisheries Service (NOAA Fisheries) or US Fish & Wildlife Service for information regarding aquatic species listed as threatened or endangered. Consult the Federal label for additional restrictions and precautions to protect aquatic organisms.

This label for Rozol Pellets expires and must not be distributed or used in accordance with this SLN registration after December 31, 2011.

24(c) registrant: Liphatech, Inc.
3600 W. Elm Street
Milwaukee, WI 53209

Rev. 9/20/2006

Washington
State Endangered Species

Current through July 1, 2005

COMMON NAME	SCIENTIFIC NAME	ANIMAL TYPE	FEDERAL STATUS
NORTHERN LEOPARD FROG	*RANA PIPIENS*	Amphibian	FCo
OREGON SPOTTED FROG	*RANA PRETIOSA*	Amphibian	FC
AMERICAN WHITE PELICAN	*PELECANUS ERYTHRORHYNCHOS*	Bird	none
BROWN PELICAN	*PELECANUS OCCIDENTALIS*	Bird	FE
SANDHILL CRANE	*GRUS CANADENSIS*	Bird	none
SNOWY PLOVER	*CHARADRIUS ALEXANDRINUS*	Bird	FT
SPOTTED OWL	*STRIX OCCIDENTALIS*	Bird	FT
UPLAND SANDPIPER	*BARTRAMIA LONGICAUDA*	Bird	none
MARDON SKIPPER	*POLITES MARDON*	Butterfly	FC
OREGON SILVERSPOT BUTTERFLY	*SPEYERIA ZERENE HIPPOLYTA*	Butterfly	FT
BLACK RIGHT WHALE	*BALAENA GLACIALIS*	Mammal	FE
BLUE WHALE	*BALAENOPTERA MUSCULUS*	Mammal	FE
COLUMBIAN WHITE-TAILED DEER	*ODOCOILEUS VIRGINIANUS LEUCURUS*	Mammal	FE
FIN WHALE	*BALAENOPTERA PHYSALUS*	Mammal	FE
FISHER	*MARTES PENNANTI*	Mammal	FCo
GRAY WOLF	*CANIS LUPUS*	Mammal	FT
GRIZZLY BEAR	*URSUS ARCTOS*	Mammal	FT
HUMPBACK WHALE	*MEGAPTERA NOVAEANGLIAE*	Mammal	FE
KILLER WHALE	*ORCINUS ORCA*	Mammal	none
PYGMY RABBIT	*BRACHYLAGUS IDAHOENSIS*	Mammal	FE
SEA OTTER	*ENHYDRA LUTRIS*	Mammal	FCo
SEA OTTER	*ENHYDRA LUTRIS LUTRIS*	Mammal	none
SEI WHALE	*BALAENOPTERA BOREALIS*	Mammal	FE
SPERM WHALE	*PHYSETER MACROCEPHALUS*	Mammal	FE
WOODLAND CARIBOU	*RANGIFER TARANDUS*	Mammal	FE
LEATHERBACK SEA TURTLE	*DERMOCHELYS CORIACEA*	Reptile	FE
WESTERN POND TURTLE	*CLEMMYS MARMORATA*	Reptile	FCo

Status Codes:

FE: Federal Endangered
FT: Federal Threatened
FC: Federal Candidate
FCo: Federal Species of Concern
SE: State Endangered
ST: State Threatened
SC: State Candidate
SS: State Sensitive

Washington
State Threatened Species

Current through July 1, 2005

COMMON NAME	SCIENTIFIC NAME	ANIMAL TYPE	FEDERAL STATUS
ALEUTIAN CANADA GOOSE	*BRANTA CANADENSIS LEUCOPAREIA*	Bird	FCo
BALD EAGLE	*HALIAEETUS LEUCOCEPHALUS*	Bird	FT
FERRUGINOUS HAWK	*BUTEO REGALIS*	Bird	FCo
MARBLED MURRELET	*BRACHYRAMPHUS MARMORATUS*	Bird	FT
SAGE-GROUSE	*CENTROCERCUS UROPHASIANUS*	Bird	FC
SHARP-TAILED GROUSE	*TYMPANUCHUS PHASIANELLUS*	Bird	FCo
LYNX	*LYNX CANADENSIS*	Mammal	FT
STELLER SEA LION	*EUMETOPIAS JUBATUS*	Mammal	FT
WESTERN GRAY SQUIRREL	*SCIURUS GRISEUS*	Mammal	FCo
GREEN SEA TURTLE	*CHELONIA MYDAS*	Reptile	FT
LOGGERHEAD SEA TURTLE	*CARETTA CARETTA*	Reptile	FT

24(C) CHECKLIST

STATE: WASHINGTON

DATE REGISTERED: 09/20/06

SPECIFIC SPECIAL LOCAL NEED: _____

SLN NO: WA060019

90-DAY DATE: 12/20/06

SITE: _____

PEST/PROBLEM: _____

1. Is the State certified to issue this type of registration? _____
2. Was the EPA Application/Notification Form submitted? _____
3. Was all the required information included on the form? _____
4. Was a confidential formula submitted (for new products)? _____
5. Is this registration for a "CHANGED USE PATTERN" _____
6. Has an FR document been prepared for this "CHANGED USE PATTERN"? _____
7. Tolerances required? _____ Established? _____ Citation: _____
8. Full labeling being used? _____ Supplemental directions? _____
9. Does label state "FOR DISTRIBUTION AND USE ONLY WITHIN (State)? _____
10. Does full label comply with 40 CFR 162.10, as follows:

    a. Product name, brand or trademark? _____
    b. Name and address of registrant? _____
    c. Net contents? _____
    d. Product registration number? _____
    e. Producing establishment number? _____
    f. Ingredient statement? _____
    g. Precautionary labeling? _____
    h. Directions for use for special local need? _____
    i. Use classification? _____

    Was proper format followed? _____

11. Is supplemental directions for use labeling satisfactory? _____
12. Was supplemental labeling compared with EPA-registered label? _____

COMMENTS: _____

1 SLN No WA060019 2 PM 07 3 Action Code

4 Size Issue Date

0	9	2	0	0	6

5 Date received by EPA

0	9	2	6	0	6

6. Date received by PM

7 Chemical name

8. Chemical code

9. Use

10. Reviews requested:

	Date Sent	Due Date	Date Returned	Response Code	Respons Date
HED					
EFB					
RCB					
EEB					
TB					
RD					
PM					
S					
Precaut Labeling					
Chemistry					
Efficacy					

11. Status

12. FINAL ACTION Response code

Response date

Form Approved. OMB No. 2070-0055.

United States Environmental Protection Agency
Office of Pesticide Programs, Registration Division (7505C)
Washington, DC 20460

Application for/Notification of State Registration of a Pesticide To Meet a Special Local Need

(Pursuant to section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, as Amended)

For State Use Only

Registration No. Assigned: WA-060019

Date Registration Issued: 9/20/2006

1. Name and Address of Applicant for Registration

Liphatech, Inc.
3600 W. Elm Street
Milwaukee, WI 53209

07

2. Product is (Check one)

- [X] EPA-Registered — EPA Registration Number: 7173-151
- [ ] New (not EPA-registered) — Attach EPA Form 8570-4, Confidential Statement of Formula for new products. — EPA Company Number: 7173-WI-1

3. Active Ingredient(s) in Product

chlorophacinone

4. Product Name

Rozol Pellets

5. If this is a food/feed use, a tolerance or other residue clearance is required. Cite appropriate regulations in 40 CFR Part 180, 185, and/or 186.

Not a food or feed use

6. Type of Registration (Give details in Item 13 or on a separate page, properly identified and attached to this form):

- [ ] a. To permit use of a new product.
- [X] b. To amend EPA registrations for one or more of the following purposes:
  - [ ] (1) To permit use on additional crops or animals.
  - [ ] (2) To permit use at additional sites.
  - [X] (3) To permit use against additional pests.
  - [X] (4) To permit use of additional application techniques or equipment.
  - [X] (5) To permit use at different application rates.
  - [ ] (6) Other (specify below)

7. Nature of Special Local Need (check one)

- [X] There is no pesticide product registered by EPA for such use.
- [ ] There is no EPA-registered pesticide product which, under the conditions of use within the State, would be as safe and/or as efficacious for such use within the terms and conditions of EPA registration.
- [ ] An appropriate EPA-registered pesticide product is not available.

8. If this registration is an amendment to an EPA-registered product, is it for a "new use" as defined in 40 CFR 152.3 ?

- [ ] Yes (discuss in Item 13 below)
- [X] No

9. Has an EPA Registration or Experimental Use Permit for this chemical ever been (check applicable box(es), if known):

- [X] Sought
- [X] Issued
- [ ] Denied
- [ ] Cancelled
- [ ] Suspended
- [X] Registration
- [X] Experimental Use Permit
- [ ] No Previous Permit Action

10. Has FIFRA section 24(c) registration for this use of the product ever, by another State, been (check appropriate box(es), if known):

- [X] Sought
- [X] Issued
- [X] Denied
- [ ] Revoked

If any of the above are checked, list States in Item 13 below.

- [ ] No FIFRA section 24(c) Action

11. Endangered Species Act: (Give details in Item 13 or on a separate page, properly identified and attached to this form)

See attached

Identify the counties where this pesticide will be used. If Statewide, indicate "all." Provide a list of Federally protected endangered/threatened species which occur in the areas of proposed use.

All counties in the State of Washington

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Signature of Applicant or Authorized Representative

Thomas J. Schmit

Title

Manager of Regulatory Compliance

Telephone Number

(414) 410-7230

Date

06/02/2006

12. Indicate use status of Special Local Need, i.e., planned dates of use:

From: 09/01/2006 **To:** undetermined

13. Comments (attach additional sheet, if needed)

SLN's were previously issued in WA, OR and 13 other states for use in controlling Microtus (voles) in orchards and forestry sites.
OR has previously denied an application for the use of this product to control Microtus on turfgrass grown for seed.

Determination by State Agency

This registration is for a Special Local Need and is being issued in accordance with section 24(c) of FIFRA, as amended. To the best of our knowledge, the information above is correct, except as noted in "Comments" below or in attachments.

Name, Title, and Address of State Agency Official

[redacted]

Title

Telephone Number

360/902-2078

Date

9/20/2006

Comments (by State Agency Only)

Non-food and non-feed use.

Received by EPA

EPA Form 8570-25 (Rev. 1-94)

EPA COPY

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
PO Box 42560 • Olympia, Washington 98504-2560 • http://agr.wa.gov • (360) 902-1800

CERTIFIED

September 20, 2006

Document Processing Desk (SLN)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

RE: EPA SLN Reg. No. WA-060019

Enclosed is Washington Special Local Need (SLN) registration number WA-060019 issued to Liphatech for the use of Rozol Pellets (EPA Reg. No. 7173-151) in forest plantations to control mountain beavers. This registration was issued under authority of Section 24(c) FIFRA.

There is a need in Washington for a rodenticide that can effectively control mountain beavers in forest plantations, according to Dr. Wendy Arjo (USDA / APHIS / WS / NWRC) and Mr. Kenneth Seeley (USDA / APHIS). Mountain beavers can cause severe damage to newly planted tree seedlings (esp. Douglas fir) in forest plantations, and will occasionally kill older established trees. There are no rodenticides that are currently registered in Washington for control of mountain beavers in forest plantations. Exclusionary methods, such as individual tree protectors and fencing, have been only marginally effective and are often cost prohibitive. Trapping is the best available method of controlling mountain beavers, but it is expensive and does not always provide adequate control of reinvading mountain beavers from surrounding areas. Research by Dr. Arjo indicates that an IPM approach, including baiting and trapping, is the most effective means of controlling mountain beavers in forest plantations. WSDA has received letters in support of this SLN registration from USDA and from the forest industry (Gustina Resources, Plum Creek Timberlands, Washington Forest Protection Association, Weyerhaeuser Company).

A tolerance for residues of chlorophacinone in forest plantations is not required, since this is a non-food and non-feed use. Use of this SLN registration is limited to certified applicators only, since it is a field use of chlorophacinone.

WSDA included use restrictions on the SLN label to minimize exposure of terrestrial and aquatic non-target organisms to chlorophacinone. Dr. Jim Cowles (WSDA Environmental Toxicologist) reviewed the SLN label, and determined that non-target exposure was mitigated by the label restrictions.

WSDA has issued this SLN registration with an expiration date of December 31, 2011.

If you have any questions, please contact me at (360) 902-2078 or by e-mail at ***ejohansen@agr.wa.gov***.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

Erik W. Johansen
Special Pesticide Registration Program Coordinator

enclosure

cc: Jane Thomas, WSU
Marco Guske, Yakama Nation
George Robinson, ISDA
Wendy Arjo, USDA / APHIS / WS / NWRC
Doug Walsh, WSU
Tom Schmit, Liphatech
Rose Kachadoorian, ODA

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

September 26, 2006

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

WSDA
Pesticide Management Division
PO Box 42560
Olympia, WA 98504-2560

ATTN: Erik W. Johansen, Coordinator:

Dear State Agency:

The Office of Pesticide Programs acknowledges receipt of the Section 24(c) application/notification for WA060019.

The package is being forwarded to the Product Manager for review.

To ensure that the Agency receives proper notification of your 24(c) applications/notifications it is necessary to us the correct mailing address. All new 24(c) applications should be sent to the following:

Document Processing Desk (SLN)
Office of Pesticide Programs -7504P
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

If you have any questions concerning the administrative screening of the package please contact the Front End Unit at (703)305-5780.

Sincerely,

Front End Processing Staff
Information Services Branch
Information Technology & Resources Management Division